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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,816	06/26/2003	Sundararajan Sriram	TI-28564A	5491
23494 7590 09/12/2007 TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265				
			EXAMINER CASCA, FRED A	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 09/12/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/606,816	<b>Applicant(s)</b> SRIRAM, SUNDARARAJAN	
	<b>Examiner</b> Fred A. Casca	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 13-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to applicant's amendment filed on June 14, 2007. Claims 1-5 and 13-17 are still pending in the present application. **This Action is made FINAL.**

### Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-5 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Applicant's Specification pages 1-5, particularly page 4, line 25 through page 5, line 8, hereinafter "Admitted Art") in view of Wong et al (US 6233466 B1).

Referring to claim 1, Admitted Art discloses a cell search method for wideband code division multiple access (WCDMA) communication system (Specification page 1 and figures Fig. 1-3C), comprising the steps of receiving a frame of data having a predetermined number of time slots, each time slot being adjacent to another time slot (Specification page 3); receiving a plurality of data symbols in each respective time slot (page 2 and 3); and receiving each of a primary, a secondary and a tertiary synchronization code over respective adjacent channels (page 4, line 24 through page 5,

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line 8, "The TSC is transmitted on a third perch channel at the same symbol time as the FSC and SSC . . . . The TSC, however, is transmitted only on eight even numbered time slots [0, 2, 4, . . . , 14] of each frame").

Admitted Art does not specifically disclose and receiving synchronization code over respective adjacent channels **during a first symbol time in each of said predetermined number of time slots.**

Wong discloses that receiving synchronization code over respective adjacent channels **during a first symbol time in each of said predetermined number of time slots** (col. 6, line 63 through col. 7, line 6. "a primary synchronization code . . . a secondary synchronization code . . . a broadcast control channel . . . are transmitted simultaneously during a short 0.0625 ms").

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify the method of Admitted Art by incorporating the teachings of Wong and consequently allowing the method of Admitted Art to have all three synchronization codes in each slot instead of only in even slots, for the purpose of providing an efficient frame synchronization.

Referring to claim 2, the combinations of Admitted Art and Wong disclose a method as in claim 1, and further disclose the secondary and the tertiary synchronization codes identify a subset of codes (Admitted Art page 2 and figures 1-3C).

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Referring to claim 3, the combinations of Admitted Art and Wong disclose a method as in claim 2, and inherently disclose the secondary and tertiary synchronization codes are formed from a predetermined order of synchronization code elements, the predetermined order corresponding to the subset of codes (pages 2-5).

Referring to claim 4, the combination of Admitted Art and Wong disclose every element of claim and inherently disclose the secondary and tertiary synchronization codes are formed from a predetermined order of common synchronization code elements (Admitted Art, pages 2-5).

Referring to claim 5, the combination of Admitted Art and Wong disclose all elements of claim 1, and inherently disclose a mobile receiver identifies a first time slot of the frame by the tertiary synchronization code (Admitted Art, pages 2-5, note that each timeslot including the first timeslot has a tertiary synch code, thus each first, second and other time slots are identified by the tertiary synch codes).

Referring to claims 13-17, claims 13-17 define a method reciting features analogous to the features of the methods claim 1-5 (as rejected above). Thus, the combinations of Admitted Art and Wong disclose all elements of claims 13-17 (please see the rejection of claim 1-5 above).

### **Response to Arguments**

4. Applicant's arguments with respect to claims 1-5 and 13-17 have been considered but they are not persuasive. In response to arguments that "the subject application claims priority from provisional application Serial No. 60/104,445, filed October 16, 1998. On the other hand, Wong et al. shows a filing date of April 8, 1999 and a provisional application filed December 14, 1998, both dates being subsequent to the provisional application from which priority has been claimed in the subject application. Accordingly, Wong et al. is not available as a reference in this application and the rejection is therefore improper", it is noted that applicant's provisional application (App#: 60/104,445) does not recite every element of the present claims in the present application. In particular, applicant's provisional application does not recite the concept or the element, each of a synch code over adjacent channels during a first symbol time in each of said predetermined number of time slots. Thus, the rejection of Office Action dated May 21, 2007 is maintained.

### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER